

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 238 be amended to read as follows:

- 1 Page 11, between lines 22 and 23, begin a new paragraph and insert:
- 2 "SECTION 8. IC 35-44-3-2 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. **(a)** A person not
- 4 standing in the relation of parent, child, or spouse to another person
- 5 who has committed a crime or is a fugitive from justice who, with
- 6 intent to hinder the apprehension or punishment of the other person,
- 7 harbors, conceals, or otherwise assists the person commits assisting a
- 8 criminal, a Class A misdemeanor. However, the offense is:
- 9 (1) a Class D felony if the person assisted has committed a Class
- 10 B, Class C, or Class D felony; and
- 11 (2) a Class C felony if the person assisted has committed murder
- 12 or a Class A felony, or if the assistance was providing a deadly
- 13 weapon.
- 14 **(b) It is not a defense to a prosecution under this section that the**
- 15 **person assisted:**
- 16 **(1) has not been prosecuted for the offense;**
- 17 **(2) has not been convicted of the offense; or**

- 1 **(3) has been acquitted of the offense by reason of insanity."**
- 2 Page 15, line 24, after "2009]" insert "**IC 35-44-3-2,**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to ESB 238 as printed April 3, 2009.)

Representative Foley